

Burnt Valley Ranch
Paul D. Bennett
2955 Burnt Valley Road
Chewelah, WA 99109



STATE OF WASHINGTON
SUPERSEDING CERTIFICATE OF WATER RIGHT

Agency: Department of Ecology
Eastern Regional Office
4601 North Monroe
Spokane, WA 99205-1295

Applicant: Burnt Valley Ranch
Paul D. Bennett
2955 Burnt Valley Road
Chewelah, WA 99109

THIS CERTIFICATE SUPERSEDES CHEWELAH CREEK ADJUDICATED
SURFACE WATER CERTIFICATE NO. 72 ISSUED JANUARY 10, 1933.

| PRIORITY DATE | APPLICATION NUMBER | PERMIT NUMBER | CERTIFICATE NUMBER |
|----------------|--------------------|---------------|---|
| 1893 (Class 8) | | | Chewelah Creek Adjudicated Certificate No.72 |

This is to certify that the herein named applicant has made proof to the satisfaction of the Department of Ecology of a right to the use of the public waters of the State of Washington as herein defined, and under and specifically subject to the provisions contained in the Permit issued by the Department of Ecology, and that said right to the use of said waters has been perfected in accordance with the laws of the State of Washington, and is hereby confirmed by the Department of Ecology and entered of record as shown, but is limited to an amount actually beneficially used.

PUBLIC WATERS TO BE APPROPRIATED

| SOURCE | | TRIBUTARY OF (IF SURFACE WATERS) | |
|-----------------------------|-------------------------|----------------------------------|--|
| Chewelah Creek (South Fork) | | Colville River | |
| MAX. CUBIC FEET PER SECOND | MAX. GALLONS PER MINUTE | MAX. ACRE-FEET PER YEAR | |
| 0.50 | | 86 | |

QUANTITY/TYPE OF USE/PERIOD OF USE

0.50 cubic feet per second, 86 acre-feet per year, from April 15 to September 15, for the irrigation of 30 acres

LEGAL DESCRIPTION OF LOCATION OF DIVERSION/WITHDRAWAL

| 1/4 1/4 SW 1/4 SE 1/4 | SECTION 21 | TOWNSHIP N. 33 | RANGE (E. OR W.) W.M. 41 E. | W.R.I.A. 59 | COUNTY Stevens |
|--------------------------|---------------|-------------------|--------------------------------|----------------|-------------------|
| PARCEL # 5603600 | | | | | |

ADDITIONAL LEGAL IS ON PAGE 2

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

| 1/4 1/4 SE 1/4 SE 1/4 | SECTION 21 | TOWNSHIP N. 33 | RANGE (E. OR W.) W.M. 41 E. | W.R.I.A. 59 | COUNTY Stevens |
|--------------------------|---------------|-------------------|--------------------------------|----------------|-------------------|
| PARCEL # N/A | | | | | |

ADDITIONAL LEGAL IS ON PAGE 2

CONTINUED LEGAL DESCRIPTION FOR LOCATION OF DIVERSION/WITHDRAWAL

N/A

CONTINUED LEGAL DESCRIPTION FOR PROPERTY ON WHICH WATER IS TO BE USED

30 acres within a portion of the SE¼SE¼ of Sec. 21, T. 33 N., R. 41 E.W.M.

PROVISIONS

All conditions and requirements contained in reports of examination or permits previously issued apply to this superseding certificate unless specifically noted below.

Measurements, Monitoring, Metering and Reporting

An approved measuring device must be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173, which describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.

Water use data shall be recorded weekly and maintained by the property owner for a minimum of five years, and shall be promptly submitted to Ecology upon request.

The Chewelah Creek Adjudication Decree dated October 15, 1932 ordered: *"That any person taking water from Chewelah Creek or its tributaries shall provide and maintain at his own expense proper diversion works and measuring devices as are required by law."*

Department of Fish and Wildlife Requirement(s)

The intake(s) must be screened in accordance with Department of Fish and Wildlife screening criteria (pursuant to RCW 77.57.010, RCW 77.57.070, and RCW 77.57.040).

Water Use Efficiency

Use of water under this authorization will be contingent upon the water right holder's maintenance of efficient water delivery systems and use of up-to-date water conservation practices consistent with established regulation requirements and facility capabilities.

Schedule and Inspections

Department of Ecology personnel, upon presentation of proper credentials, will have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

The right to use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380, 90.03.390, and 90.44.100.

This superseding certificate of water right is specifically subject to relinquishment for non-use of water as provided in Chapter 90.14 RCW.

*Given under my hand and the seal of this office at Spokane, Washington,
this 19th day of July, 2012.*

DATA REVIEW
OK KL
ECY 040-1-2 (Rev. 8-97)



Ted Sturdevant, Director
Department of Ecology

By *Keith L. Stoffel*
Keith L. Stoffel, Section Manager